

RCE/16421FV
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Atty. Dkt. No. 035879-0122



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Xianxhang YU, et al.
Title: THERAPEUTIC PORE-FORMING PEPTIDES
Appl. No.: 09/851,422
Appl. Filing Date: 05/09/2001
Examiner: Misook Yu
Art Unit: 1642

REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. § 141, or the commencement of a civil action under 35 U.S.C. § 145 or § 146 (unless the appeal or civil action is terminated).

1. Submission required under 37 C.F.R. § 1.114: (check items that apply)

a. Enclosed is:

☒ Amendment/Reply.

05/19/2004 MGBREM1 00000062 09851422

01 FC:1801	770.00 OP
02 FC:1253	950.00 OP

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e):				\$770.00	= \$770.00
Total Claims:	23	-	23 = 0	x \$18.00	= \$0.00
Independents	2	-	3 = 0	x \$86.00	= \$0.00
CLAIMS FEE TOTAL:					= \$770.00

☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input checked="" type="checkbox"/> Extension for response filed within the third month:	\$950.00	\$950.00
EXTENSION FEE SUBTOTAL:		\$950.00
EXTENSION FEE TOTAL		\$950.00
CLAIMS AND EXTENSION FEE TOTAL:		\$1,720.00
TOTAL FEE:		\$1,720.00

☐ Please charge Deposit Account No. 19-0741 in the amount of \$0.00. A duplicate copy of this transmittal is enclosed.

☒ A check in the amount of \$1,720.00 to cover the filing fee is enclosed.

[X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

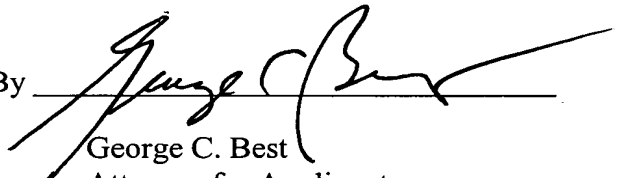
Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date May 18, 2004

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By


George C. Best
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Xianxhang YU, *et al.*

Title: THERAPEUTIC PORE-
FORMING PEPTIDES

Appl. No.: 09/851,422

Filing Date: May 9, 2001

Examiner: Misook Yu

Art Unit: 1642

AMENDMENT AND REPLY UNDER 37 C.F.R. § 1.111

Commissioner for Patents
U.S. Patent and Trademark Office
PO Box 1450
Alexandria, VA 22313-1450

Sir:

This communication responds to an Office Action dated November 25, 2003, concerning the above-referenced patent application. Applicants submit the following Amendment under 37 C.F.R. § 1.111, in conjunction with an accompanying Request for Continued Examination.

Although applicants believe that no fee is due, the Commissioner is hereby authorized to charge any deficiency to Deposit Account No. 19-0741, including any extension of time, and to treat this authorization as a petition for any extension of time determined to be necessary for this response to be considered timely.

Please amend the application as follows: